

Draft Reasons for Refusal

Application No: DA2021/01754
Land: Lot 11 DP 1221375
Property Address: 43 Date Street Adamstown NSW 2289
Proposed Development: Health services facility

1. The proposed development is inconsistent with Section 7.03 of the Newcastle Development Control Plan 2012 with respect to traffic parking and access [Section 4.15(a), (b) & (e)].
2. The proposed development does not satisfactorily demonstrate that the traffic impacts of the development are acceptable [Section 4.15 (b) & (e)].
3. The proposed development does not satisfactorily demonstrate that the development is acceptable in relation to accidents and traffic safety [Section 4.15 (b) & (e)].
4. The design of the car park is not acceptable having regard to Australian Standard 2890.1 – Parking Facilities and associated traffic and parking impacts [Section 4.15 (b) & (e)].
5. The proposal does not satisfactorily demonstrate that the development has adequate facilities for on-site deliveries, servicing and waste management, including in relation to Sections 7.03 and 7.08 of the Newcastle Development Control Plan 2012, and correspondingly, that the associated impacts are acceptable [Section 4.15(a), (b) & (e)].
6. The proposed development does not satisfactorily demonstrate that the traffic impacts of the development are acceptable [Section 4.15 (b) & (e)].
7. The proposed development is not acceptable in terms of flooding impacts [Section 4.15 (b), (c) & (e)].
8. The proposal does not satisfactorily demonstrate that the development is adequate in terms of stormwater management [Section 4.15 (b) & (e)].
9. The proposed development is inconsistent with Section 6.08 of the Newcastle Development Control 2012 (NDCP) with respect to setbacks, access, streetscape,

visual appearance, character, urban design, overshadowing, scale and size [Section 4.15(a), (b) & (e)].

10. The proposal is not acceptable in terms of urban design impacts [Section 4.15 (b) & (e)].
11. The proposal is not acceptable in terms of streetscape impacts and proposed landscaping [Section 4.15 (b) & (e)].
12. The proposed development is inconsistent with the provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021 with respect to impacts on electricity transmission or distribution network [Section 4.15 (b) & (e)].
13. The proposed development's overshadowing impacts are not considered to be acceptable [Section 4.15 (b)].
14. The design of the proposal development will result in unacceptable traffic conflict with the neighbouring property due to the terms and nature of the existing easements [Section 4.15 (b) & (e)].
15. It has not been sufficiently demonstrated that the proposed design is acceptable with respect to Crime Prevention Through Environmental Design (CPTED) and that the development inconsistent with Section 4.04 of the Newcastle Development Control Plan 2012 [Section 4.15(a), (b) & (e)]..
16. Insufficient information has been submitted to demonstrate that the two lifts proposed by the development is sufficient for the scale of the proposal [Section 4.15 (b) & (e)].
17. Insufficient information has been submitted to demonstrate that essential fire safety aspects of the proposal have been satisfactorily resolved within the proposed design [Section 4.15 (b) & (e)].
18. Submissions received in response to public notification of the development application have raised issues of a nature and extent that establish that the proposed development will result in unreasonable impacts in terms of traffic, parking, streetscape, visual appearance, character, urban design, overshadowing, scale and size and adversely impact on the residential amenity of surrounding lands. [Section 4.15(1)(d) Environmental Planning and Assessment Act 1979].
19. The proposed development is contrary to the public interest with respect to traffic, parking, streetscape, visual appearance, character, urban design, overshadowing,

scale, size and adverse impacts on residential amenity within this area. [Section 4.15(1)(e) Environmental Planning and Assessment Act 1979]